

Serial No.: 08/934,659

PATENT  
Attorney Docket No. 3495.0042-18

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
ORTH et al. )  
Serial No.: 08/934,659 ) Group Art Unit: 1634  
Filed: September 22, 1997 ) Examiner: E. Campbell

For: IMMUNOGENIC COMPOSITIONS OF  
HUMAN PAPILLOMAVIRUS (as amended)

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir: .

DECLARATION REGARDING DEPOSIT OF BIOLOGICAL MATERIALS

I, Danielle Berneman, do hereby declare and say:

1. I am a citizen of France.

2. I am the Head of the Patent Section of the Institut Pasteur in Paris, France, to whom this patent application has been co-assigned, along with the Institut National de la Sante et de la Recherche Medicale.

3. On information and belief, the biological materials disclosed and claimed in this application were deposited with the National Collection of Cultures of Microorganisms or Collection Nationale de Cultures de Micro-organisms ("C.N.C.M.") of Institut Pasteur, 28 rue du Docteur Roux, 75724 Paris Cedex 15, France, on November 30, 1984, under the following name and accession numbers

Exhibit A -1

Serial No.: 08/934,659

to assure availability of the biological materials to the public:

<u>Name</u>	<u>Accession No.</u>
pBR322/HPV2d	I-379
pBR322/HPV10bA	I-380
pBR322/HPV10bB	I-381
pBR322/HPV14a	I-382
pBR322/HPV14b	I-383
pBR322/HPV15	I-384
pBR322/HPV17a	I-385
pHPV5 HindIIIb/HPV17b	I-386
pBR322/HPV19	I-387
pBR322/HPV20	I-388
pBR322/HPV21	I-389
pHPV5 HindIIIb/HPV22	I-390
pBR322/HPV23	I-391
pBR322/HPV24a	I-392
pBR322/HPV24b	I-393
pBR322/HPV28	I-394
pBR322/HPV29	I-395
pBR322/HPV31	I-396
pSP64/HPV32	I-397
pLI55/HPVIP2	I-450
pSP65/HPVIP4	I-449

- 2 -

Exhibit A-2

Serial No.: 08/934,659

4. On information and belief, the C.N.C.M. has acquired the status of International Authority within the meaning of the Budapest Treaty of the International Recognition of the Deposit of Microorganisms for the Purpose of the Patent Procedure.

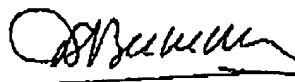
5. That said biological materials have been deposited under conditions which insure that access to the cultures will be available during the pendency of the above-identified patent application to one determined by the Commissioner of Patents and Trademarks to be entitled thereto under 37 C.F.R. §1.14 and 35 U.S.C. §122.

6. That no later than issuance of a patent on the above-identified patent application, Institut Pasteur will irrevocably remove any restrictions as to public availability of each biological material deposit, and will replace the same biological material deposit should it become non-viable, during the period that extends thirty (30) years from the date of the deposit, or the period of the enforceable life of the patent, or the period of five (5) years after the last public request for the deposit, whichever period is longest.

7. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false

Serial No.: 08/934,659

statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issuing thereon.

Date: July 9th 1999  
Danielle Berneman  
INSTITUT PASTEUR

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